

1  
2 BILL NO. S-88-06- 25

3 SPECIAL ORDINANCE NO. 101-88

4 AN ORDINANCE approving the sale of  
5 certain real property to The Truck  
6 Engineering Company, Inc.

7 WHEREAS, the City of Fort Wayne is the owner of certain  
8 real estate located in Allen County, in the State of Indiana,  
9 legally described as follows:

10 A parcel of land located in the Northwest One-quarter  
11 of Section 22, Township 30 North, Range 12 East, Allen County,  
12 Indiana, more particularly described as follows:  
13 COMMENCING at the intersection of the East right-of-way of  
14 Bluffton Road with the North line of the Northwest One-quarter  
15 of said Section 22; thence South 2 degrees 08 minutes West  
16 (Indiana State Highway Commission Plan bearing) along the  
17 East right-of-way line of Bluffton Road (formerly State Road  
18 No. 1 and 3) a distance of 652.50 feet to the point of tangency  
19 of a regular curve; thence continuing along said right-of-way  
20 line along a curve to the left having a radius of 7111.97  
feet an arc length of 213.00 feet (chord bears South 1 degree  
17 minutes West a distance of 213.00 feet) to the point of  
beginning of the herein described tract. BEGINNING at the  
above described point; thence continuing along said  
right-of-way line along a curve to the left having a radius  
of 7111.97 feet an arc length of 125.00 feet (chord bears  
South 0 degrees 04 minutes 20 seconds East a distance of 125.00  
feet); thence North 88 degrees 38 minutes East a distance  
of 140.00 feet; thence North 37 degrees 45 minutes 10 seconds  
East a distance of 138.07 feet; thence North 86 degrees 49  
minutes West a distance of 225.00 feet to the point of  
beginning. Parcel contains 0.494 acres, more or less and  
is subject to any pertinent easements of record.

21 FLOOD PLAIN NOTE: N.F.I.P. Flood Insurance Rate Map Community  
22 #180003, Panel #0020B, shows the above described property  
in a Zone C. designation.

23 WHEREAS, the City of Fort Wayne desires to dispose of  
24 said property;

25 WHEREAS, the disposal of said property has been  
26 approved by the Mayor and the Board of Public Works and Safety  
27 after a public hearing of which notice had been given pursuant  
28 to I.C. 5-3-1.

29 WHEREAS, said property was initially appraised in  
30 excess of Ten Thousand dollars (\$10,000.00), having been  
31 appraised for Eighteen Thousand Dollars (\$18,000.00);  
32



PAGE TWO

WHEREAS, I.C. 36-1-11-3 requires the approval of the disposal of real property by the Common Council if the property has an appraised value of at least Ten Thousand Dollars (\$10,000.00) or more;


WHEREAS, The Truck Engineering Company, Inc. has bid Seven Thousand Seven Hundred Fifty-Five and no/100 Dollars (\$7,755.00) for said property;

WHEREAS, said bid is the highest and best bid for said property;

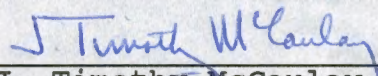
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The disposal of real property by the City of Fort Wayne legally described above is hereby approved, and the transfer of said property to The Truck Engineering Company, Inc. for the sum of \$7,755.00 is hereby approved and ratified, and the appropriate City officers and officials are authorized to execute any and all deeds and other documents necessary to complete said transfer.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

  
Councilmember

APPROVED AS TO FORM  
AND LEGALITY

  
J. Timothy McCaulay, City Attorney



WARRANTY DEED

THIS INDENTURE WITNESSETH THAT the City of Fort Wayne, Indiana, a Municipal Corporation of Allen County in the State of Indiana, convey and warrant to THE TRUCK ENGINEERING COMPANY, INC. of Allen County in the State of Indiana for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the following Real Estate in Allen County in the State of Indiana, to wit:

A parcel of land located in the Northwest One-quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

COMMENCING at the intersection of the East right-of-way of Bluffton Road with the North line of the Northwest One-quarter of said Section 22; thence South 2 degrees 08 minutes West (Indiana State Highway Commission Plan bearing) along the East right-of-way line of Bluffton Road (formerly State Road No. 1 and 3) a distance of 652.50 feet to the point of tangency of a regular curve; thence continuing along said right-of-way line along a curve to the left having a radius of 7111.97 feet an arc length of 213.00 feet (chord bears South 1 degree 17 minutes West a distance of 213.00 feet) to the point of beginning of the herein described tract. BEGINNING at the above described point; thence continuing along said right-of-way line along a curve to the left having a radius of 7111.97 feet an arc length of 125.00 feet (chord bears South 0 degrees 04 minutes 20 seconds East a distance of 125.00 feet); thence North 88 degrees 38 minutes East a distance of 140.00 feet; thence North 37 degrees 45 minutes 10 seconds East a distance of 138.07 feet; thence North 86 degrees 49 minutes West a distance of 225.00 feet to the point of beginning. Parcel contains 0.494 acres, more or less and is subject to any pertinent easements of record.

FLOOD PLAIN NOTE: N.F.I.P. Flood Insurance Rate Map Community #180003, Panel #0020B, shows the above described property in a Zone C. designation.

Subject to current and subsequent taxes, all restrictions of record and all easements visible or recorded.

DATED THIS 20<sup>th</sup> Day of June, 1988,

CITY OF FORT WAYNE

BY:

P. Helmke  
Paul Helmke, Mayor

ATTEST:

BY:

Sandra Kennedy  
Sandra Kennedy, City Clerk



PAGE TWO

STATE OF INDIANA            )  
                                  )  
COUNTY OF ALLEN            )       SS:

Before me, the undersigned, a Notary Public in and for said County and State this 20th day of June, 1988, personally appeared THE CITY OF FORT WAYNE, INDIANA, a municipal corporation, by PAUL HELMKE, MAYOR, and attested by SANDRA KENNEDY, CITY CLERK, and acknowledged the execution of the foregoing Deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:

*Carolyn S. Eschmann*

6-16-91  
Resident of Allen County

*Carolyn S. Eschmann*  
NOTARY PUBLIC

PREPARED BY: R. DAVID BOYER, ASSOCIATE CITY ATTORNEY,  
300 METRO BUILDING  
FORT WAYNE, INDIANA 46802



C. David Coil, P.E., L.S.  
Kerry D. Dickmeyer, L.S.  
John L. Updike, L.S.

COIL & DICKMEYER, INC.

6044 East State Blvd.  
Fort Wayne, Indiana 46815

Survey No. S. 881520

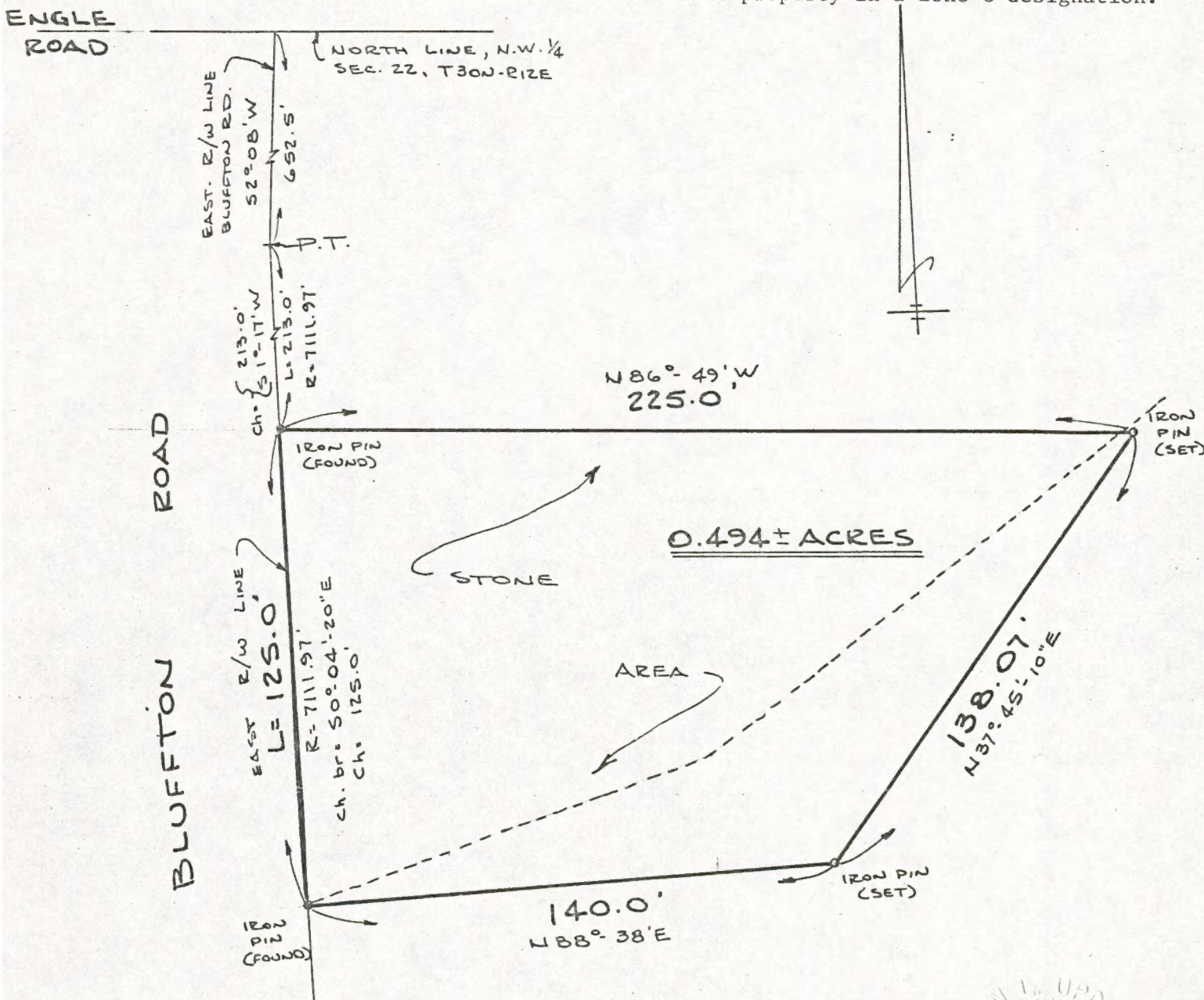
## CERTIFICATE OF SURVEY

This document is a record of a re-survey of land and real estate located in FORT WAYNE, ALLEN COUNTY, Indiana made in accordance with the records on file in the Office of Recorder of said county. The land described exists in the full dimensions shown, is free from encroachment by adjoining land owners and contains entirely within its boundaries any structures located upon it except as noted below.

A parcel of land located in the Northwest One-quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

COMMENCING at the intersection of the East right-of-way of Bluffton Road with the North line of the Northwest One-quarter of said Section 22; thence South 2 degrees 08 minutes West (Indiana State Highway Commission Plan bearing) along the East right-of-way line of Bluffton Road (formerly State Road No. 1 and 3) a distance of 652.50 feet to the point of tangency of a regular curve; thence continuing along said right-of-way line along a curve to the left having a radius of 7111.97 feet an arc length of 213.00 feet (chord bears South 1 degree 17 minutes West a distance of 213.00 feet) to the point of beginning of the herein described tract. BEGINNING at the above described point; thence continuing along said right-of-way line along a curve to the left having a radius of 7111.97 feet an arc length of 125.00 feet (chord bears South 0 degrees 04 minutes 20 seconds East a distance of 125.00 feet); thence North 88 degrees 38 minutes East a distance of 140.00 feet; thence North 37 degrees 45 minutes 10 seconds East a distance of 138.07 feet; thence North 86 degrees 49 minutes West a distance of 225.00 feet to the point of beginning. Parcel contains 0.494 acres, more or less and is subject to any pertinent easements of record.

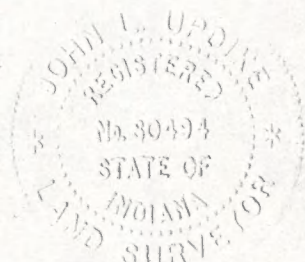
FLOOD PLAIN NOTE: N.F.I.P. Flood Insurance Rate Map Community # 180003, Panel # 0020 B, shows the above described property in a Zone C designation.



For: City of Fort Wayne Division of Public Works

IN WITNESS WHEREOF, I set my hand and seal.  
this 28<sup>th</sup> day of MARCH, 1988.

Valid only with original hand and seal.



John L. Updike





# THE TRUCK ENGINEERING COMPANY, INC.

4401 BLUFFTON ROAD • FORT WAYNE, INDIANA 46809 • TELEPHONE 219-478-1544

May 25, 1988

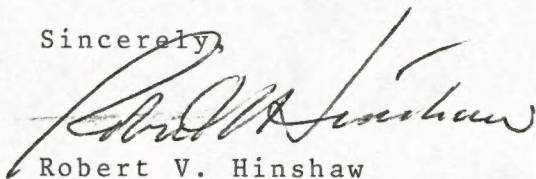
Board of Public Works  
Room 920  
City of Fort Wayne  
Fort Wayne, IN 46802

To whom it may concern:

This is our bid for \$7,755.00 to purchase the approximate 1/2 acre bare land located adjacent to and on the east side of Bluffton Road and north of Fairfield Ditch, Fort Wayne, Allen County, In. as advertised for sale by the Fort Wayne Board of Public Works. The title to said land is to be delivered, at closing, free and clear of encumbrances or liens other than R/E taxes accrued.

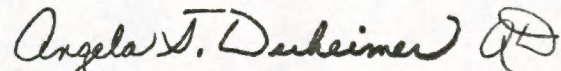
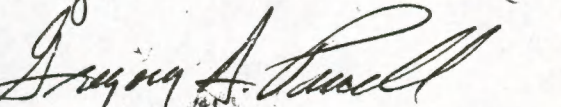
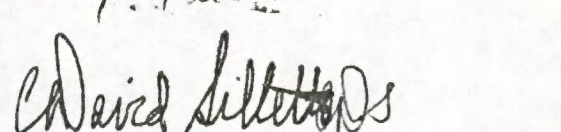
A deposit of \$400.00 is enclosed.

Sincerely,

  
Robert V. Hinshaw

Enclosure

APPROVED ☐  
Board of Public Works & Safety

**MISNER & ASSOCIATES**  
*Industrial-Commercial Valuation Consultants*  
635 Lincoln Bank Tower  
Fort Wayne, IN 46802  
(219) 422-2578

May 9, 1988

Board of Public Works  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

ATTN: Mr. Ronald R. Fletcher

Gentlemen:

In December, 1987, we appraised about 8.884 acres of bareland adjacent and on the east side of Bluffton Road north of the Fairfield Ditch in Fort Wayne, Indiana, for \$18,000.

About 1 acre, more or less, of the 8.884 acres of land is considered high ground and not in flood plain. This small triangular tract of the total land area would have a contributory value of about \$15,500.

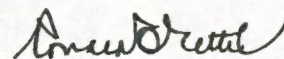
If you have any questions regarding this letter supplement, please contact us at your convenience.

Very truly yours,



Larry D. Misner, MAI

rlb



Ronald E. Gettel, MAI



SUMMARY VALUATION  
OF  
CITY OF FORT WAYNE  
EAST SIDE OF BLUFFTON ROAD  
AND NORTH OF FAIRFIELD DITCH  
FORT WAYNE, INDIANA

FOR

BOARD OF PUBLIC WORKS  
CITY-COUNTY BUILDING  
FORT WAYNE, INDIANA

BY

LARRY D. MISNER, MAI  
635 LINCOLN BANK TOWER  
FORT WAYNE, INDIANA 46802

RONALD E. GETTEL, MAI  
6715 QUAIL RIDGE LANE  
FORT WAYNE, INDIANA 46804



**MISNER & ASSOCIATES**  
*Industrial-Commercial Valuation Consultants*  
635 Lincoln Bank Tower  
Fort Wayne, IN 46802  
(219) 422-2578

December 7, 1987

Board of Public Works  
City of Fort Wayne  
City-County Building  
Fort Wayne, Indiana 46802

ATT: Mr. Ronald R. Fletcher

Gentlemen:

RE: Valuation summary of approximate 8.884 acres of bareland located adjacent and on the east side of Bluffton Road north of the Fairfield Ditch, Fort Wayne, Allen County, Indiana.

At your request, we have conducted an inspection of the captioned property located along Bluffton Road and north of the Fairfield Ditch in Fort Wayne, Allen County, Indiana. The purpose of the inspection was to estimate the summary fair market value estimate of the 8.884 acre subject land tract as well as provide a rental indication for the approximate 1+ acre land tract not considered in flood plain, as of December 1, 1987.

The subject property is located about three miles southwest of the downtown business district of Fort Wayne. Neighborhood boundaries would include the St. Marys River on the east, Engle Road on the north, the St. Johns Cemetary on the west, and commercial development along Bluffton Road to the south. Along and near the Bluffton Road in the vicinity of the subject property, the land uses are a mixture of commercial, some residential, and spot industrial. The prominent development in the general neighborhood would be to the north in the form of the Quimby Village Shopping Center complex. Other development from that point south would consist of residential, a number of commercial endeavors, and adjacent and to the north of the subject is the Truck Engineering industrial facility. Other commercial use types are located across the street and to the north.

The subject tract consists primarily of flood plain land and other areas to the south and across the street are not as intensely developed as to the north and further removed to the south because the drainageway features in the immediate neighborhood and the evidence of flood plain land areas. Bluffton Road is the major



north-south roadway through the neighborhood. This facility is a two-lane roadway that becomes extremely congested at peak hours during the course of the day. The construction of the new Bluffton Road bridge and the widening and repaving of the Bluffton Road facility from the subject immediate area northward has upgraded traffic flow efforts. South of the subject property Winchester Road angles southeasterly from Bluffton Road and provides additional roadway access in the neighborhood.

In summary, the subject neighborhood is considered to be in a mid-life stage with inhibiting features for new development created by the St. Mary's River as a natural boundary and the lack of good roadway access other than Bluffton Road. The floor plain zoning designation in the immediate neighborhood does curtail potential development of some properties. The neighborhood should remain fairly stable, but there is not likely to be any major value enhancement of properties for the foreseeable future.

#### Brief Property Description

The subject property comprises an approximate land area of 8.884 acres and would be legally described as:

"Part of the Richardville Reserve in Section 22, Township 30 North, Range 12 East, Wayne Township, Allen County, Indiana, more particularly described as follows:

"Beginning at the intersection of the East right-of-way line of State Roads 1 and 3 and the center line of the Fairfield Ditch; thence Northeasterly, along the meandering centerline of Fairfield Ditch to the West bank of the St. Mary's River as follows: 193.7 feet to a point; thence with a deflection angle of 7° 19' left, 223.5 feet to a point; thence with a deflection angle of 19° 38' left, 228.8 feet to a point; thence with a deflection angle of 23° 5' left, 115 feet to a point on the west bank of the St. Mary's River; thence northwesterly, meandering along said west bank, 401.9 feet to the southeast corner of Peerless Trailer Company property; thence westerly, along the southerly line of aforesaid property, 470 feet to the aforesaid East right-of-way line; thence southerly, along aforesaid right-of-way line, 836.8 feet to the point of beginning, containing 8.884 acres of land.



The subject land tract does have somewhat irregular land boundaries and has moderately level to sloping topographical features. A triangular portion of the land located in the northwest corner having an ample amount of frontage is at about road grade with Bluffton Road and is at about grade with the adjacent, industrial property immediately to the north. This approximate one acre or so land tract could be used in a somewhat similar capacity to adjacent or surrounding uses to the north and northwest. The remainder land of slightly more than 7.8 acres would be considered floor plain and would have limited utility for potential development. However, it could be potentially used for some form of regulated storage and/or for additional parking. In order to utilize this flood plain land it is necessary to raise the first floor elevation of any potential building a couple of feet above the flood hazard level of 100 year flood plain. The expense involved and the adverse circumstance of the flood plain zoning designation would restrict the potential development and utility of the approximate 7.8 acres of land of the subject property. Utilities in the area include public water and sewer, natural gas, electric power, and telephone service.

#### ZONING, PRESENT USE, AND HIGHEST AND BEST USE

The zoning of the small, northwesterly triangular portion would be industrial. However, the remainder land of just under eight acres would be flood plain area. The potential usage of the property, except for the small triangular northwesterly portion of about one acre, would be limited in nature. The flood plain area would only serve as potential land area for additional parking and/or storage. The approximate one acre land area at the northwest corner of the tract is at about road grade with Bluffton Road and would be of sufficient size and would have the availability of utilities to support some type of small commercial and/or light industrial related use and/or to serve any land use in conjunction with the property adjacent and to the north.

After considering information pertinent to the value analysis and weighing the data in conjunction with the property under investigation, the summary fair market value estimate for the approximate 8.884 acres of land, as of December 1, 1987, would be:

EIGHTEEN THOUSAND (\$18,000) DOLLARS

Further, a projected summary fair rental indication for the approximate 1+ acre land tract at the northwest corner of the total property not considered to be in flood plain would be, as of December 1, 1987, about:

ONE HUNDRED (\$100) DOLLARS PER MONTH



This summary and/or preliminary valuation effort is subject to a documented report should the need arise and the assumptions and limiting conditions would be:

- That the legal description provided is assumed to be reasonably correct and no survey has been made of the property;
- That merchantable fee simple title, free of encumbrance, is vested in the owner of record;
- That exhibits attached to this report are solely for the purpose of assisting the reader to visualize or understand its contents and are not intended to be exacting in scale or detail;
- That the dollar value estimate indicated in valuing the subject property on the date specified is subject to any change in the value of the dollar;
- That all data used in compiling this report was furnished by sources considered reliable, but we do not guarantee correctness;
- That no attempt has been made to render an opinion relative to title or status of easements or any other matter of a legal nature;
- That the possession of this preliminary value analysis or copy thereof does not imply any rights of publication of all or any part without the prior written consent of the appraiser;
- That the fee for this summary valuation effort is not contingent upon the amount of value reported, nor upon anything else other than delivery of the report;
- That the fee for this appraisal does not provide compensation for conference, testimony, or attendance in court with reference to the property in question.

We appreciate the opportunity of providing you with a preliminary valuation analysis. If you have any questions regarding any portion of this summary valuation effort, please contact us at your convenience.

Very truly yours,



Larry D. Misner, MAI



Ronald E. Gettel, MAI



ADDENDA



PHOTOGRAPHS OF SUBJECT PROPERTY



Photo view looking in a northeasterly direction across Bluffton Road at the subject property. As can be seen in the photo, the greater portion of the land tract is slightly below road grade and is primarily in flood plain. The St. Mary's River forms the easterly boundary to the right.



Photo view looking in a southeasterly direction across Bluffton Road showing the northerly end of the land tract. Partially visible at the left in the photo is the approximate one acre triangular land portion that is not in flood plain. A portion of this land tract is being used at the present time for storage purposes by the adjacent land owner to the north. The land area to the right or to the south that falls below road grade is in flood plain.





Photo view looking in an easterly direction across Bluffton Road looking at the triangular land portion that is at road grade, is above flood plain, and is currently being used in a storage related capacity by the adjacent land owner to the north.



Photo view looking in a westerly direction across Bluffton Road showing the Truck Engineering Company industrial complex that forms the adjacent, northern boundary of the subject property.

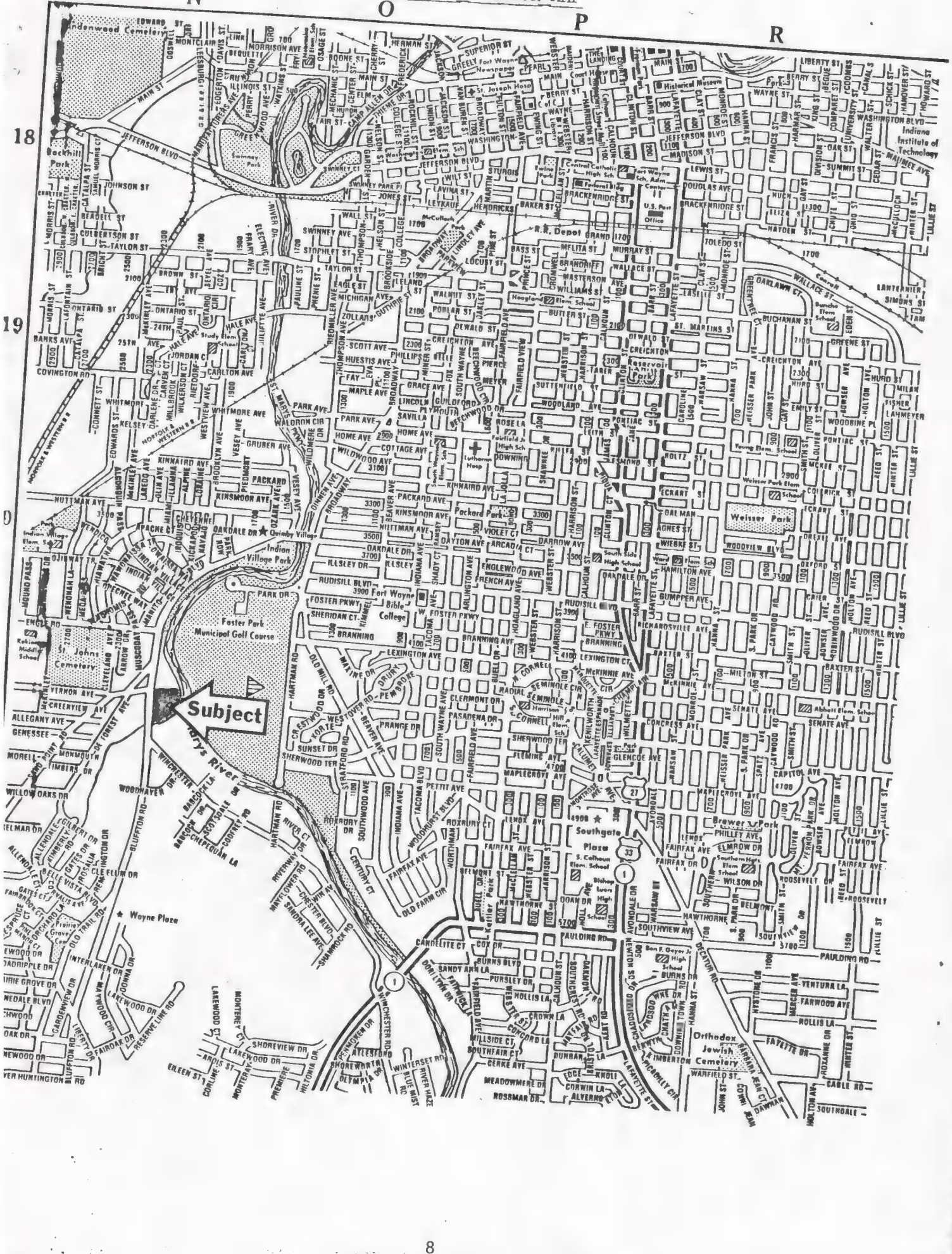


18

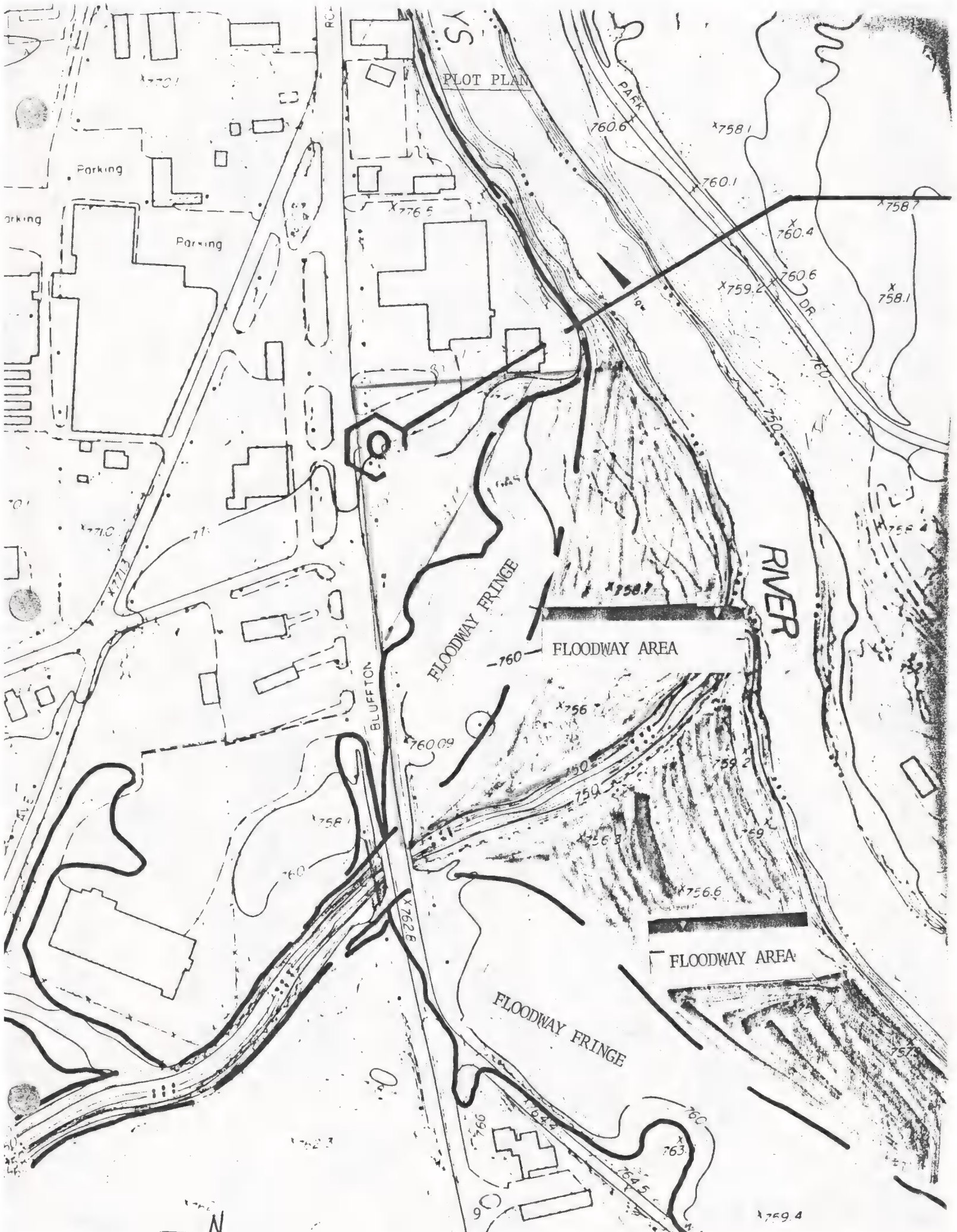
19

D

8









## ASSUMPTIONS AND LIMITING CONDITIONS

In making the appraisal of the subject property, the following assumptions and limiting conditions are presented:

1. That the legal description provided is assumed to be reasonably correct and no survey was made and dimensions referenced in the report from other sources are assumed to be reliable.
2. That merchantable fee simple title, free of encumbrance, is vested in the owner of record.
3. That exhibits attached to this report are solely for the purpose of assisting the reader to visualize or understand its contents and are not intended to be exact in scale or detail.
4. The dollar value estimate indicated in valuing the subject property on the dates specified is subject to any change in the value of the dollar.
5. That all data used in compiling this report was furnished by sources considered reliable, but the appraiser does not guarantee correctness.
6. No attempt has been made to render an opinion relative to title or status of easements or any other matter of a legal nature.
7. That individual value estimates for the various components of the subject property are valid only when taken in context in this report and are invalid if considered individually, or as components in connection with any other appraisal.
8. The possession of this report, or a copy thereof, does not imply any rights of publication of all or any part without the prior written consent of the appraiser.
9. That the fee for this appraisal report is not contingent upon the amount of value reported, nor upon anything else other than delivery of this report.
10. That the fee for this appraisal report does not provide compensation for conference, testimony, or attendance in court with reference to the property in question.



Read the first time in full and on motion by Redd, seconded by Selmon, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 6-28-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Selmon, seconded by Selmon, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY				<u>✓</u>
BURNS	<u>✓</u>			
GiaQUINTA				<u>✓</u>
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
STIER	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 7-12-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) \_\_\_\_\_ (APPROPRIATION) \_\_\_\_\_ (GENERAL) \_\_\_\_\_ (SPECIAL) \_\_\_\_\_ (ZONING MAP) \_\_\_\_\_ ORDINANCE ~~RESOLUTION~~ NO. S-101-88

on the 12th day of July, 1988,

Sandra E. Kennedy ATTEST

SEAL

SANDRA E. KENNEDY, CITY CLERK

Thomas E. Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1988, at the hour of 11:00 o'clock 14 .M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 22nd day of July, 1988, at the hour of 2:00 o'clock 11:00 .M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR



Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

*S-88-06-25*

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS AND SAFETY

SYNOPSIS OF ORDINANCE approving the sale of real property 1/2 acre  
bare land located adjacent to and on the east side of Bluffton  
Road and north of Fairfield Ditch, Fort Wayne, Allen County  
to the Truck Engineering Company, Inc.

EFFECT OF PASSAGE Sale of land can be completed

EFFECT OF NON-PASSAGE \_\_\_\_\_

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$7,755

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_

BILL NO. S-88-06-25

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the  
sale of certain real property to The Truck Engineering  
Company, Inc.

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

YES

NO

*Donald J. Schmidt*

DONALD J. SCHMIDT  
CHAIRMAN

*Charles B. Redd*

CHARLES B. REDD  
VICE CHAIRMAN

*Samuel J. Talarico*

SAMUEL J. TALARICO

JAMES S. STIER

*Janet G. Bradbury*

JANET G. BRADBURY

CONCURRED IN 5-12-88

*Sandra E. Kennedy*

Sandra E. Kennedy  
City Clerk